

Heads of a Protestation

T O B E

Entred before the Right Honourable, the MAGISTRATES
and the Honourable the TOWN-COUNCIL of *Edinburgh*,

A G A I N S T

A MONOPOLY intended by the CHIRURGEON APOTHE-
CARIES, to the Prejudice of the PHYSICIANS and
BURGERS residing in the Place.

The Reasons are as follows,

1^{mo}, **T**HAT this exclusive Right, which the Chirurgeon Apothecaries aim at, is destructive to the Privilege of the Burgers residing in *Edinburgh*, and the Liberties thereof, by imposing upon their Sons and Daughters, a Penalty of Fifty Pounds *Sterling*, before they can be capable of exercising the Office of Druggist or Apothecary, to which they have, when qualified for these Offices, a Title by *Birth-Right*. Had this Act been formerly in Force, Mrs. *Hare* had never been in a Capacity to have been so great a Benefactrix to the Good-Town. And,

A T the same Time, it is altogether pernicious to the Privilege of the Physicians, who ought to have the Examination, and be apprised of the Qualifications of the Entrant Apothecaries; that so the Safety of our Patients, and our own Reputation may be secured.

2^{do}, T H E Physicians humbly conceive, That the Chirurgeon Apothecaries have forfeited their Privileges, by counteracting their Patent, in admitting Fifteen or Seventeen Persons into the Incorporation of Chirurgeon Apothecaries, without Examination or Trial, contrary to the manifest Directions of the same Patent.

3^{to}, T H E Chirurgeon Apothecaries having the Monopoly of Druggs, it is in their Power, upon any Concert, to raise the Value of Medicines to any Rate they please: And tho' the present Incorporation may not take Advantage of the Powers they now claim; nevertheless, they can give no Security to the Rest of Mankind, that their Successors shall not abuse these Privileges, if once granted, to their Prejudice.

4^{to}, I T appears to be very unequal, that in all Things relating to Druggs, they should be both Judge and Party.

5^{to}, T H E Physicians think themselves exceedingly leased, by the Practice of the Chirurgeon Apothecaries, already, who, without the Powers that they now demand, have invaded the Privileges of the Physicians in their whole Extent, pretending always, as an Excuse, *Charity* and *Necessity*.

6^{to}, B Y the Powers which the Chirurgeon Apothecaries demand, the Physicians are incapacitate to give their own Remedies to their Patients, tho' they have as many Calls, upon the Account of *Necessity* and *Charity*, as the others can pretend to.

7^{mo}, B Y their Demands, they shut up the *Physicians Dispensary* for the Poor, which is an *Act of Charity* the Chirurgeon Apothecaries have not been accustomed to, which should be continued not only for that, but likewise for other Uses as the College of Physicians shall think good.

8^{vo}, I F the Chirurgeon Apothecaries Claim be granted, the Physicians are, in some Measure, incapable to live in the Place, the whole of Medicine being then in the Chirurgeon Apothecaries Hands.

9^{no}, I T is every Man's Interest, who loves his Neighbour, to oppose the Chirurgeon Apothecary's Powers of giving Privileges to Gardiners, to exercise Medicine, in its whole Extent, without Examination or Trial, for a Sum of Money; who, thro' their Ignorance, are under a Necessity to do more Prejudice than Good.

10^{mo}, I T is plain, that if what is demanded be granted, there is a Discouragement to all Men of Genius to study Medicine in all Time coming in this City.

11^{mo}, I F this *Monopolizing Act* take Place, the Consequence of Necessity must be, that the Physicians prepare and administer Remedies to their own Patients, and, to balance Matters with the Chirurgeon Apothecaries, they must treat their Patients

in Cases of *Chirurgery* and *Pharmacy*, as they treat ours in *Physick*, under the extensive Pretence of *Charity* and *Necessity*: Which Confusion must continue, till the Chirurgeons are content to comply with some Regulations, and act within their own Sphere.

12^{mo}, IT is a Hardship, that the Physicians, tho' they be necessarily obliged to reside in the Place, should be excluded from the Policy of the same; tho' in Places of far greater Extent and Commerce, they are allowed sometimes a Share in the Magistracy, and even exalted to the highest Dignity; as *Tulpius* was at *Amsterdam*.

13^{mo}, THE Physicians conceive, they may be made Burgers; and if so, they are in a Capacity to be Merchants, and of Consequence capable to be Magistrates.

14^{to}, SEEING the Powers to be granted to Chirurgeon Apothecaries, restrain the Physicians from exercising the Offices of *Pharmacy* and *Chirurgery*, and also from being *Druggists*, they conceive it reasonable, that the Chirurgeon Apothecaries should give the Physicians an equal Security, that in all Time coming they shall not invade theirs, with Relation to internal Administrations. And they conceive this Monopoly of so many Employments in one Person, is highly prejudicial to the Burgers in general, which the Honourable Magistrates, who are Guardians of their Liberties and Privileges, ought in a special Manner to take Notice of.

15^{to}, SEEING no Person can be incorporate hereafter with the Chirurgeon Apothecaries, without their usual Trial and Examination, the Physicians conceive it reasonable, that no Chirurgeon Apothecary, tho' he has received the Graduation of Doctor of Medicine in the Universities of *North-Britain*, shall be capable of exercising Medicine within the Precincts of the College of Physicians, unless he undergo the Physicians Trials, tho' he or they be willing to pay the ordinary Dues.

16^{to}, IN regard the Patients and Physicians are highly abused by foreign sophisticated Chymical Remedies, there ought to be an absolute Security granted to the Physicians, and their Successors, who have been at great Charge in erecting an *E-laboratory* for the Preparation of Chymical Remedies, on the Virtue and Efficacy of which the College of Physicians may depend; by which Means not only Students of Medicine may have Insight, but likewise a great Sum of Money saved to the Nation.

17^{mo}, IF this shall pass into an Act, the Physicians desire that it may have no Retrospect, nor incroach upon their Privileges; and that it may contain a Clause supporting their *Dispensary*, both *Galenical* and *Chymical*, by such Persons as are Burgers and Gild Brothers of *Edinburgh*, under the Examination, Direction and Regulation of the said College of Physicians allenarly.

18^{vo}, UPON the same Supposition, the President and Censors of the College of Physicians may call for a Chirurgeon Apothecary, and simple Apothecary, who, with the Concurrence of a Magistrate, shall visit the Shops once or twice a Year, as they shall think fit.

19^{mo}, IN Regard the Chirurgeons Apothecaries Patent has no Existence but what is consistent with that of the College of Physicians, by their own Consent ratified in Parliament; therefore the Visitation of the Shops ought to have a simple Apothecary joined with the other Visitors; and by this the Privileges of the Burgers of this City are by both Patents, to the great Satisfaction of the Physicians, preserved.

20^{mo}, SINCE the Wisdom of the Parliament thought it necessary to provide against the Incroachment of the free Mechanicks, and those free Tradesmen that deal in Vivers, by allowing unfree Mechanicks and Tradesmen to bring in their Goods Weekly, in order to prevent the Leiges being imposed upon by the Freeman; so it seems necessary in order to prevent the exorbitant Power of the Chirurgeon Apothecaries, to have simple *Pharmacians*, independent of the Chirurgeons, who upon their Entry shall be obliged to pass Trial before the College of Physicians only.

21^{mo}, THE College of Physicians are of Opinion, That no Patent can overturn a Decree of the Lords of Council and Session, obtain'd against the Chirurgeon Apothecaries *in foro contradictorio*, for the Benefit both of Physicians and Burgers of the Place, to which both have a Right. And in all the civilized Cities of *Europe*, the Offices of Chirurgeon and Apothecary are exercised by different Persons. And moreover, here we have the Authority of a Decree of Separation enforcing the same: And what one of our Number did relating to that Affair, was a personal Deed, which in no Case can affect the Society, he having no Powers from the College of Physicians for that Effect; but on the Contrary, in a full Meeting, by a positive Act of the said College, was secluded from meddling in that Matter; the sole Power being lodged in another, who was then the College's Plenipotentiary.

THEREFORE 'tis humbly presum'd that the Honourable the Lord Provost, and Honourable Magistrates, &c. will take this Affair into their serious Consideration before they come to a definitive Sentence; and that we the Physicians of *Edinburgh* may be allowed to be heard by our Council on that Affair.